

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Civil Action No. 2:23-CV-00379-JRG-RSP

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Civil Action No. 2:23-CV-00377-JRG-RSP

**T-MOBILE'S UNOPPOSED MOTION FOR LEAVE TO SUPPLEMENT
EXPERT REPORT OF MS. LAURA STAMM TO RESPOND TO
HEADWATER'S RECENTLY ALLOWED SUPPLEMENTAL EXPERT
REPORTS**

I. INTRODUCTION

The Court recently granted leave for Headwater to supplement its expert reports to address certain data which Apple produced after the close of fact discovery (“Apple Data”). *See* Dkt. 314. Defendants T-Mobile USA, Inc. and Sprint LLC (collectively, “T-Mobile”) respectfully move to supplement the expert report of its damages expert, Ms. Laura Stamm (“Stamm Supplemental Report”) to respond to Headwater’s recently allowed supplemental reports. *See* Ex. 1. Headwater does not oppose T-Mobile’s motion.

II. BACKGROUND

On March 15, 2025, Headwater served a supplemental expert report for its technical expert, Dr. Richard Wesel, addressing—among other things—a document produced by Apple bearing Bates number APL-HEADWATER_00000716.

On March 19, 2025, Headwater served a report from its spectrum expert, Dr. Coleman Bazelon, calculating the effect of the Apple Data on Dr. Bazelon’s saved spectrum opinions.

T-Mobile opposed Headwater’s attempt to supplement its expert reports with new discovery. Nonetheless, on March 18, 2025, T-Mobile served the one-page Stamm Supplemental Report addressing Dr. Wesel’s opinions regarding the Apple Data in the event Headwater would be permitted to supplement its reports.

On April 8, 2025, Headwater moved to for leave to supplement Dr. Wesel and Dr. Bazelon’s opinions to address the Apple Data, as addressed in their supplemental reports served on March 15 and March 19. T-Mobile opposed the motion.

On June 25, 2025, the Court granted in-part Headwater’s motion to supplement Dr. Wesel and Dr. Bazelon’s opinions, allowing the portions of their reports that discuss the Apple Data. Dkt. 314. The Court denied Headwater’s request to address other late-produced discovery.

On June 24, 2025, T-Mobile asked Headwater to confirm that Headwater would not oppose a motion for leave by T-Mobile to supplement Ms. Stamm's opinions with the supplemental report served on March 18, 2025, in light of the Court's partial grant of Headwater's motion for leave. On June 25, 2025, Headwater confirmed it would not oppose T-Mobile's motion.

III. ARGUMENT

The Court should grant T-Mobile's unopposed motion to supplement Ms. Stamm's opinions with the Stamm Supplemental Report. *See Ex. 1.* While it was T-Mobile's position that the supplemental reports by Headwater were untimely, and thus no supplemental reports by T-Mobile were necessary, T-Mobile nonetheless served the Supplemental Stamm Report on Headwater more than three months ago on March 18, 2025 for the possible eventuality the Court would allow Headwater's supplemental reports. Now that the Court has allowed Dr. Wesel and Dr. Bazelon to supplement their opinions to discuss the Apple Data, T-Mobile respectfully submits that the Court should grant T-Mobile leave to supplement Ms. Stamm's opinions with the supplemental report, which is purely responsive to the new issues raised in the portions of the supplemental reports by Dr. Wesel and Dr. Bazelon recently allowed by the Court.

Headwater will not be prejudiced if the Court allows the Stamm Supplemental Report. Headwater does not oppose this motion. The Stamm Supplemental Report also narrowly addresses the same Apple Data Headwater's experts discuss in their supplemental reports. And T-Mobile provided copies of the Stamm Supplemental Report to Headwater more than three months ago on March 18, 2025, which was only three days after Headwater served Dr. Wesel's supplemental report.

IV. CONCLUSION

T-Mobile respectfully requests that the Court grant leave for it to supplement Ms. Stamm's report with the Stamm Supplemental Report.

Dated: July 02, 2025

By: /s/ Josh A. Krevitt

Josh A. Krevitt
jkrevitt@gibsondunn.com
Katherine Q. Dominguez
kdominguez@gibsondunn.com
Brian A. Rosenthal
brosenthal@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: 212.351.4000
Facsimile: 212.351.4035

Robert Vincent
rvincent@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201
Telephone: 214.698.3112
Facsimile: 214.571.2910

Andrew W. Robb (CA Bar No. 291438)
aroobb@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
310 University Avenue
Palo Alto, CA 94301
Telephone: 650.849.5334
Facsimile: 650.849.5034

Michelle Zhu
mzhu@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1700 M Street, N.W.
Washington, D.C. 20036
Telephone: 202.777.9413
Fax: 202.831.6063

Celine Crowson (D.C. Bar No. 0436549A)
Hogan Lovells
555 13th St NW,
Washington, D.C. 20004
Telephone: 202-637-5600
celine.crowson@hoganlovells.com

Tej Singh (California Bar No. 286547)
Yi Zhang (California Bar No. 342823)

Kyle Xu (California Bar No. 344100)

Hogan Lovells

4 Embarcadero Center Suite 3500

San Francisco, CA 94111

Telephone: 415-374-2300

tej.singh@hoganlovells.com

yi.zhang@hoganlovells.com

kyle.xu@hoganlovells.com

Deron R. Dacus (TX Bar No. 00790553)

THE DACUS FIRM, P.C.

821 ESE Loop 323, Suite 430

Tyler, Texas 75701

Telephone: (903) 705-1117

Email: ddacus@dacusfirm.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system on July 02, 2025.

/s/ Josh A. Krevitt
Josh A. Krevitt

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for T-Mobile complied with the meet and confer requirement in Local Rule CV-7(h) and counsel for Headwater indicated via email on June 25, 2025 that Headwater does not oppose this motion.

/s/ Josh A. Krevitt
Josh A. Krevitt